

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION  
HELD TUESDAY, NOVEMBER 3, 2020, AT 5:00 P.M. THE MEETING WAS HELD  
ELECTRONICALLY, WITHOUT A PHYSICAL LOCATION DUE TO THE CURRENT  
COVID-19 PANDEMIC AND AS AUTHORIZED BY THE GOVERNOR'S EXECUTIVE  
ORDER DATED 18 MARCH 2020**

**Members Present:** Mayor Mike Peterson, Council Member Scott Bracken, Council Member Christine Mikell, Council Member Douglas Petersen

**Staff Present:** City Manager Tim Tingey, City Attorney Shane Topham, Police Chief Robby Russo, Assistant Fire Chief Riley Pilgrim, Records Culture and Human Resources Director Paula Melgar, Community/Economic Development Director Michael Johnson, Public Works Director Matt Shipp, Finance and Administrative Services Director S. Scott Jorges

**Excused:** Council Member Tali Bruce

**1. Welcome – Mayor Michael Peterson.**

Mayor Mike Peterson called the meeting to order at 5:00 p.m. and welcomed those listening. He read in its entirety the determination giving the Council the authority to hold the meeting via Zoom, pursuant to Utah Code Annotated §52-4-207(4).

Mayor Peterson excused Council Member Bruce.

**2. Review of Business Meeting Agenda – Mayor Michael Peterson.**

Mayor Peterson reviewed the Business Meeting agenda. City Manager, Tim Tingey reported that Resolution 2020-52 approves an agreement for Zoo Arts and Parks (“ZAP”) funding for a variety of different elements, including musical Christmas programs, the City Film Festival, art teaching resources, marketing, photography, and technical equipment. Staff recommended approval of the \$13,900 grant.

Resolution 2020-53 was next addressed approving a Consulting Agreement with Zions Bank Public Finance for COVID-19 related economic impact analysis. Community and Economic Development Director, Mike Johnson reported that it will analyze the direct effects of the pandemic on the retail business and various industries within the City. This will go hand in hand with the General Plan and allow flexibility with policies and ordinances in the future to ensure that the City is accommodating the different trends. He confirmed that it would be funded with Coronavirus Aid, Relief, and Economic Security (“CARES”) Act revenue for \$15,000. The study was expected to be completed by the end of the year.

### 3. **Staff Reports.**

#### a. **Budget and Revenue Review – City Manager, Tim Tingey and Administrative and Fiscal Services Director, Scott Jurges.**

Mr. Tingey reported that the Budget and Revenue Review has been presented each month. Finance and Administrative Services Director, Scott Jurges provided an update and reported that the August 2020 sales tax numbers have been received. After two months of collection, the City is at 20% of overall revenues and \$116,000 ahead of the prior year's total of \$6,719,000. The budget was at \$600,000 year-to-date with \$102,000 having been received. This was \$13,000 ahead of what was received in 2020.

#### b. **Proposed Budget Amendment – City Manager, Tim Tingey and Administrative and Fiscal Services Director, Scott Jurges.**

Mr. Jurges reviewed the proposed budget amendment and reported that a contribution was received from Granite Construction during the summer of 2019 in the amount of \$2,500 that was intended to be used for the 2020 Butlerville Days. Staff has been instructed to utilize the funds for the Utah Open Lands purchase. Since the revenue was received 16 months prior in the General Fund, they need to transfer the funds to the Capital Improvements Fund to make it available.

Mr. Jurges indicated that they are re-budgeting the Carry-Over Capital Projects. These include projects that were not completed during the 2019-2020 fiscal year. There was a net change in fund balance year over year of \$2,427,000. Staff recommended a re-budget of \$2,391,000 of the net cost to the City once they factor in revenue. Mr. Jurges reported that as capital projects are completed, they are recommending the utilization of approximately \$200,000 of unspent funds from completed projects go toward the Scottish Drive Road and Storm Water Project. They initially believed Salt Lake County would make a direct contribution to the Utah Open Lands purchase. Those funds will come through the City and need to recognize revenue of \$500,000 offset by an expense of \$500,000.

Mr. Jurges reported that there was an additional contribution in September 2020 of \$9,000 from Granite Construction that was intended to be utilized for the Utah Open Lands purchase. They would like to utilize \$40,400 from the Storm Water Impact Fees Reserve to fund a Storm Water Utility Fee and Program Development Study. The net impacts to the Capital Improvements Fund would be an increase of \$4,673,000 of expenses, an increase of \$2,242,000 in revenue, and a Carry Over in addition to a \$2,500 transfer from the General Fund and \$40,400 toward Storm Water Impact Fees.

In response to a question raised, Public Works Director, Matt Shipp clarified that Zions Bank completed a study on the Storm Water Fee. The proposed amendment would take it a step further by developing the manual and program detailing the implementation of the fee. The process included bringing the matter before the City Council for review and to receive input after which it would be presented to the public.

c. **Bengal Boulevard Roundabout Design Discussion – Public Works Director, Matt Shipp.**

Mr. Shipp reported that a Public Open House will be held for the Bengal Boulevard design discussion. The Open House will include a virtual slideshow that coincides with a socially distanced meeting to be held in the Community Room. He explained this is a Congestion, Mitigation, and Air Quality (“CMAC”) project that includes a \$2.5 million grant that was approved eight to 10 years ago. Of that, the City is required to pay 6.77%. They were also able to obtain right-of-way acquisition funds in the amount of \$427,000 to purchase the property, which counts toward the 6.77% match. Mr. Shipp confirmed that there is no money coming out of the General Fund for the project. The project location was described. It was designed to alleviate peak delays, increase pedestrian safety, and reduce accidents. The preliminary design was presented at the environmental meetings where pedestrian concerns were discussed. Based on traffic data and the delays caused by an intersection, the roundabout would result in the reduction of 106 hours of daily idling and 4.4 tons of pollutants.

Mr. Shipp explained that they have been through numerous iterations and came up with a plan that meets the goals of the project. A visual plan was reviewed. The new design included reduced speeds, a crosswalk at each line of sight and near vehicle acceleration areas, pedestrian refuge islands, z-crossings, and a shared road bicycle space. The plans also include a blinking crossing beacon at each crossing. He confirmed that the speed limit would decrease from 35 MPH to 20.

Mayor Peterson reported that a water-wise landscaping plan has been discussed that would tie into the plaza located at City Hall. Mr. Shipp described the line of sight and potential landscaping ideas. He confirmed that navigation of the roundabout will be provided on the City’s website and presented at the Open House on November 12. The design took into account the largest truck giving them the ability to easily navigate through the roundabout.

In response to a concern with congestion during construction, Mr. Shipp explained that they are finalizing details and will begin advertising the project in the winter. Construction was to begin in the summer of 2020. They plan to work in conjunction with Brighton High School who will be reconstructing their parking lot around the same time. Equipment staging will take place in the school parking lot and there will be two lanes of traffic flowing during construction. It will take place during the summer months while students are not in school. Mr. Shipp confirmed that the project will be completed in three to four months.

Mayor Peterson commented that after meeting with several neighbors, reviewing the original concept plan, and speaking with the school district they have come a long way. His main concern with the original design pertained to pedestrian safety and navigating through the crosswalks. He was impressed by the thought and planning involved in the current design to ensure safety.

Council Member Petersen was also concerned about pedestrian safety and had visited local roundabouts to identify potential issues. He appreciated the 106 hours of emissions saved and the layout of the south design. Mr. Shipp believed there was no more pedestrian-friendly plan than the one proposed.

The Unified Fire Department (“UFA”) had no issues with the design. Police Chief, Robby Russo considered the plan to be well done.

**d. Compensation Study – City Manager, Tim Tingey and Administrative and Fiscal Services Director, Scott Jurges.**

Mr. Tingey reported that as a follow-up to the October 22 discussion, staff provided additional information proposed in the Compensation Study. He wished to reiterate the hundreds of hours of work that went into the study and appreciated the efforts of all involved. He commended the City employees for their efforts to improve the community. He reported that the study identified positions 34% below market. Budget projections were outlined and modified based on input from the City Council. Mr. Tingey believed there was adequate revenue to allow for the proposed adjustment and stated that a conservative approach was taken to implementing pay increases during the pandemic. He referenced the Utah Employers Council, which indicates that both public and private are projecting pay increases. The implementation of the compensation adjustments was recommended. He felt strongly about moving forward as some City employees have gone 16 months without a pay increase.

Mayor Peterson expressed appreciation for the City’s employees and considered them to be the City’s greatest asset. He asked about the Council’s position at the time of the study and what timing parameters were set on implementation when the current budget was completed. Mr. Tingey reported that during the 2018-2019 budget year the Council identified funding and recommended hiring an Intern and completing the study in-house. Staff finalized the study, which was presented at preliminary meetings of the Compensation and Budget Committees with implementation planned for July. It was determined that it would be placed on hold to further understand budget projections and revenue through the COVID-19 crisis.

He reported that they have gone six months knowing where sales tax revenue is based on COVID-19 adjustments. Mayor Peterson supported the market study and complimented Mr. Tingey and staff for completing it for \$10,000 when \$75,000 was originally budgeted. Moving forward, it would be just under a \$1 million commitment for the Council to consider. Mr. Jurges confirmed that funds will come from the fund balance. Mayor Peterson confirmed that no revenue supports an increase. It would be necessary to draw down the fund balance as most enterprise fund type businesses do. This would come from the fund balance of between \$300,000 and \$400,000 in the initial budget cycle and an additional \$600,000 from the fund balance going forward. He cautioned that as the impacts from COVID-19 are monitored going into the winter months, the future will be extremely uncertain.

Council Member Petersen suspected that if they are static on revenues, change will be needed in the future. Mr. Jurges concurred and stated that when the budget was adopted during the 2018-2019 budget year, they only balanced the budget. He stated that there were different projections in place moving forward, all of which utilized fund balance. They are only guaranteed in terms of what is received from property tax for the prior year as it does not produce revenue that can be used toward inflationary growth. He explained that other than sales tax revenue performing well, other revenue sources generally are flat.

Council Member Mikell thanked Mr. Tingey and staff for preparing the report and agreed with the Mayor to wait until January 2021. She supported the request with the caveat that the Council finalize the Stormwater Fee discussion and address the additional needs of the Police Department. She also asked for the Council's thoughts regarding an annual property tax increase rather than a large single increase going forward allowing residents to anticipate and budget. She recommended the Council use the next two months to solidify outstanding items and come up with a more cohesive plan in projecting the future. Mr. Tingey considered this to be a unique situation in that it is being proposed independent of a full budget proposal.

Mr. Jurgens described options that were not included, which would give the Council alternatives to consider. The stormwater option selected could save the City \$600,000 annually or potentially cost an additional \$200,000 annually. Telecom fees were also considered.

Council Member Bracken reported that the market study was completed and he believed the funds to pay employees need to come from ongoing revenue. He did not have an issue with addressing the Compensation Study two months early and utilizing CARES funding.

Records Culture and Human Resources Director, Paula Melgar reported that the cost to replace a City employee is \$85,000 and \$150,000 for a department head and should be considered before January. She stated that they are asking to be on the average market. Mayor Peterson emphasized that these are difficult and challenging times. He commented that he attends meetings with the County and other private sector groups. He supported the market study and was committed to a January 1, 2021, timeline. Doing so sends a message to the public that they are sensitive to the challenges while trying to maintain the City and provide services. He believed that further discussion was required while reviewing other priorities.

Mr. Tingey's understanding was that based on the proposal, the Council would like staff to bring forward a budget amendment for the remaining portion of 2020 to address the Market and Compensation Study increases for the remaining portion of the current budget year. Between January and July 2021, there will be several incremental discussions regarding a variety of items related to the budget.

Council Member Petersen stated that the Police Department is a large portion of the budget and asked if the timing of other cities opening up should be considered. He commented that it is a business management issue that needs to be addressed to determine an equitable situation for the City and its employees. Council Member Mikell was hesitant to move forward based on the uncertainty that the current COVID-19 situation brings. Council Member Bracken supported moving forward and stated it should be done by January at the latest. Mayor Peterson stated that setting a time and date sends a message that the adjustment is coming. It also allows the Council to review a variety of budgetary items.

Council Member Mikell emphasized the importance of understanding that hard decisions will have to be made in considering an increase for the community.

Mr. Tingey agreed to put forward a budget amendment prior to December 15, 2020, with implementation to begin in January.

4. **Review of Calendars and Upcoming Events.**

- November 12 – 5:00 p.m. to 7:00 p.m. – Bengal Boulevard Open House at City Hall's Community Room.

5. **Possible Closed Meeting to Discuss Litigation, Property Acquisition and/or the Character and Professional Competence or Physical or Mental Health of an Individual.**

There was no Closed Meeting needed.

6. **Adjourn City Council Work Session.**

**MOTION:** Council Member Bracken moved to adjourn. The motion was seconded by Council Member Petersen. The motion passed with the unanimous consent of the Council.

The Work Session adjourned at 6:59 p.m.

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING  
HELD TUESDAY, NOVEMBER 3, 2020 AT 7:00 P.M. THE MEETING WAS HELD  
ELECTRONICALLY, WITHOUT A PHYSICAL LOCATION DUE TO THE CURRENT  
COVID-19 PANDEMIC AND AS AUTHORIZED BY THE GOVERNOR'S EXECUTIVE  
ORDER DATED 18 MARCH 2020**

**Members Present:** Mayor Mike Peterson, Council Member Scott Bracken, Council Member Christine Mikell, Council Member Douglas Petersen

**Staff Present:** City Manager Tim Tingey, City Attorney Shane Topham, Police Chief Robby Russo, Assistant Fire Chief Riley Pilgrim, Records Culture and Human Resources Director Paula Melgar, Community/Economic Development Director Michael Johnson, Public Works Director Matt Shipp, Finance and Administrative Services Director S. Scott Jorges

**Excused:** Council Member Tali Bruce

**1.0 WELCOME AND DETERMINATION**

**1.1 The Mayor, as Chair of the City Council, will read the Written Determination Concerning an Anchor Location for this Electronic Meeting During the Current Pandemic, Pursuant to Utah Code Ann. 52-4-207(4).**

Mayor Mike Peterson called the meeting to order at 7:06 p.m. He read in its entirety the determination giving the Council the authority to hold the meeting via Zoom, pursuant to Utah Code Annotated §52-4-207(4).

Mayor Peterson excused Council Member Bruce.

**2.0 PLEDGE AND ACKNOWLEDGEMENTS**

Council Member Petersen led the Pledge of Allegiance.

**3.0 CITIZEN COMMENTS**

There were no citizen comments.

**4.0 ACTION ITEMS**

**4.1 Consideration of Resolution 2020-52 Approving Entry into an Agreement with Salt Lake County for Tier II ZAP Funding.**

Mayor Peterson reported that the resolution involves approving entry into an Agreement with Salt Lake County for Tier II ZAP funding for the Arts Council. Mr. Tingey reported that this is a grant application that was awarded through Salt Lake County for the Arts Council for various arts programs.

**MOTION:** Council Member Petersen moved to approve Resolution 2020-52. The motion was seconded by Council Member Bracken. Vote on motion: Council Member Petersen-Aye, Council Member Mikell-Aye, Council Member Bracken-Aye. The motion passed unanimously.

**4.2     Consideration of Resolution 2020-53 Approving a Consulting Agreement with Zions Bank Public Finance for COVID-19 Related Economic Impact Analysis.**

Mayor Peterson reported that the above resolution approves a Consulting Agreement with Zions Bank Public Finance for COVID-19 related economic impact analysis. Community and Economic Development Director, Mike Johnson reported that it involves a market study that would utilize CARES Act funding. The analysis would look at how industries and City businesses have been impacted by the COVID-19 pandemic. Trends would be reviewed to provide information on future policies that may be used to support City businesses.

**MOTION:** Council Member Mikell moved to approve Resolution 2020-53. The motion was seconded by Council Member Bracken. Vote on motion: Council Member Petersen-Aye, Council Member Mikell-Aye, Council Member Bracken-Aye. The motion passed unanimously.

**5.0     CONSENT CALENDAR**

**5.1     Approval of the City Council Work Session and Business Meeting Minutes of October 20 and 27, 2020.**

**MOTION:** Council Member Bracken moved to approve the City Council Work Session and Business Meeting Minutes for October 20 and 27, 2020. The motion was seconded by Council Member Petersen. The motion passed with the unanimous consent of the Council.

**6.0     ADJOURN CITY COUNCIL BUSINESS MEETING.**

**MOTION:** Council Member Bracken moved to adjourn the City Council Business Meeting. The motion was seconded by Council Member Petersen. The motion passed with the unanimous consent of the Council.

The meeting adjourned at 7:18 p.m.



*I hereby certify that the foregoing represents a true, accurate, and complete record of the Cottonwood Heights City Council Business Meeting held Tuesday, November 3, 2020.*

Teri Forbes

Teri Forbes  
T Forbes Group  
Minutes Secretary

Minutes Approved: November 17, 2020